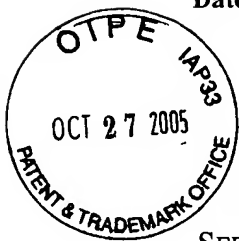


10-31-05 IFW  
Express Mail Label No.: EV695505881US

Date of Deposit: October 27, 2005

Attorney Docket No. 22058-544 (AM 100664)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Warne et al

SERIAL NUMBER: 10/663,264

EXAMINER: Bruce D. Hissong

FILING DATE : September 16, 2003

ART UNIT: 1646

FOR : DELAYED RELEASE FORMULATIONS FOR ORAL  
ADMINISTRATION OF A POLYPEPTIDE THERAPEUTIC AGENT AND  
METHODS OF USING SAME

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following documents:

1. Response to Office Action mailed September 27, 2005 (2 pgs);
2. Return Postcard.

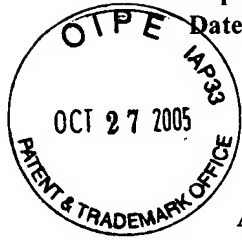
The Commissioner is authorized to charge any fees due to Deposit Account No. 50-0311 (Reference No. 22058-544). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529  
David E. Johnson, Reg. No. 41,874  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
Tel: (617) 542-6000  
Fax: (617) 542-2241  
Customer No. 30623

Dated: October 27, 2005



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Response to September 27, 2005 Office Action**

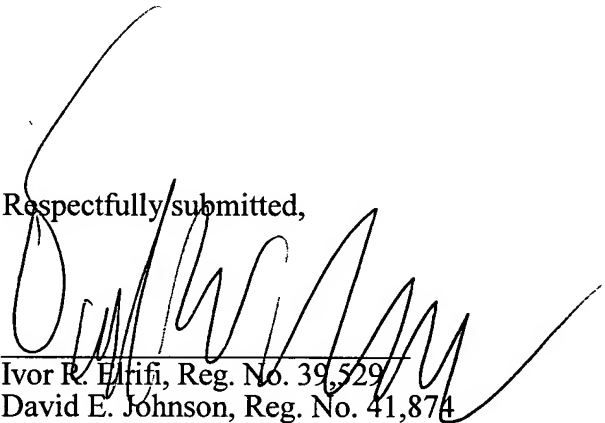
In response to the Office action mailed September 27, 2005 requiring restriction of the above-referenced application, Applicants elect with traverse the claims in Group II, which include Claims 5-12, 16-26. Group II is indicated as including claims drawn to a pharmaceutical composition that includes an interleukin-11 (IL-11) peptide and is classified in class 424, subclass 85.2.

Applicants' traverse is on the basis that no undue burden is presented by additionally searching the subject matter of at least Group I and Group IV along with Group II. Group I includes claims drawn to a pharmaceutical composition that includes a bioactive peptide. Group IV includes claims drawn to a pharmaceutical composition that includes an IL-11 peptide that is enveloped by a sealing coat, an enteric coating layer, and a second sealing coat.

No undue burden is presented in rejoining Group I and Group IV with Group II. A search of the subject matter of Group II will necessarily encompass the subject matter of Group I. Additionally, Group II and Group IV are composition of matter claims in the same class and subclass.

Reconsideration of the requirement for restriction at least as applied to Groups I, II, and IV is respectfully requested. Please charge any additional fees that may be due, or apply any credit for same, to Deposit Account No. 50-0311(Reference No. 22058-544).

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
David E. Johnson, Reg. No. 41,874  
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Fax: (617) 542-2241  
**Customer No. 30623**

Dated: October 27, 2005

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